

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

NICHOLAS M., BY AND THROUGH	)	Civ. No. 09-00162 HG-LEK
HIS PARENTS, LAURA AND	)	
RICHARD M.,	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	
	)	
DEPARTMENT OF EDUCATION,	)	
STATE OF HAWAII,	)	
	)	
Defendant.	)	

**ORDER ADOPTING REPORT OF SPECIAL MASTER ON PLAINTIFFS' MOTION  
DETERMINING PLAINTIFFS AS PREVAILING PARTY AND FOR AN AWARD OF  
ATTORNEYS' FEES AND COSTS (DOC. 17)**

A Report of Special Master on Plaintiffs' Motion Determining Plaintiffs As Prevailing Party and For An Award of Attorneys' Fees and Costs, (Doc. 17), having been filed and served on all parties on December 3, 2009, and no objections having been filed by any party,

IT IS HEREBY ORDERED AND ADJUDGED that pursuant to Title 28, United States Code, Section 636 (b)(2) and Local Rule 53.1, the Report of Special Master, (Doc. 17), is adopted as the opinion and order of this Court.

**CONCLUSION**

(1) Plaintiffs' Motion Determining Plaintiffs As Prevailing Party and For An Award of Attorneys' Fees and Costs, filed on June 15, 2009, (Doc. 12), is **GRANTED IN PART AND DENIED IN PART.**

- (2) The Court **FINDS** that Plaintiffs are the prevailing party and **AWARDS** Plaintiffs \$18,762.30 in attorney's fees and \$736.21 in costs, for a total award of \$19,498.51.
- (3) The Court **DENIES WITHOUT PREJUDICE** Plaintiffs' request for in-house copying costs. Plaintiffs are **GRANTED** until February 19, 2010, to file a supplemental motion in support of the request for in-house copying costs. The supplemental motion should include any request for fees and costs incurred in connection with this case, Civil No. 09-00162 HG-LEK. Defendant is given until March 5, 2010, to file an objection to Plaintiff's supplemental motion.

IT IS SO ORDERED.

DATED: January 21, 2010, Honolulu, Hawaii.



/S/ Helen Gillmor

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Helen Gillmor  
United States District Judge

M. v. Dept. Of Education, State of Hawaii; Civil No. 09-00162 HG-LEK; **ORDER ADOPTING REPORT OF SPECIAL MASTER ON PLAINTIFFS' MOTION DETERMINING PLAINTIFFS AS PREVAILING PARTY AND FOR AN AWARD OF ATTORNEYS' FEES AND COSTS (DOC. 17).**